

BENEFIT CAPITAL COMPANIES INC.

P.O. BOX 542 • LOGANDALE, NV 89021-0542
PHONE: (702) 398-3222 • (800) 922-3767 • FAX: (702) 398-3700

FOURTH OF JULY REFLECTIONS 2013[©]

Robert W. Smiley, Jr., Chairman

It is now 13 years since in 2000 we embarked on this journey of issuing each year for your edification and enjoyment a set of four biographical sketches of the signers of the Declaration of Independence (“*The Unanimous Declaration of the Thirteen United States of America*”). The four sketches that follow this message complete our sketches of the 56 original signers.

Over the years, assorted “authorities” have published detailed lists of the extreme hardships and perils suffered by the Declaration signers. Not all can be authenticated. That aside, we know without a doubt that some signers, in the course of the War for Independence:

- Were taken prisoner and treated very harshly by the British;
- Lost their personal fortunes, had their homes destroyed, severely damaged and/or looted, whether or not those homes were specifically targeted because of the owners’ treasonous activity;
- Had to send their families into hiding;
- Had their careers/businesses at minimum, disrupted by the war; and
- Were injured or fell ill in the course of pursuing revolutionary activities.

These adversities were the fate not just of the famous 56 Declaration signers, but, of course, of so many other courageous revolutionaries and their families who did not achieve individual fame.

What continued the work of the American Revolution was the inevitable evolution of our Constitution, ratified almost 12 years later, on June 21, 1788, replacing the hastily adopted Articles of Confederation, which had been ratified March 1, 1781. Six of the Declaration signers were among the 39 men who signed the Constitution.

Then came what is known as our Bill of Rights, ratified on December 15, 1791. The Bill of Rights consists of the first ten amendments to the Constitution and guarantees a number of personal freedoms, limits the government’s power in judicial and other proceedings, and reserves some powers to the states and the public. The Tenth Amendment: “*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people*” is perhaps the one most noted for being more honored in the breach than in its observance, with the result being a spiral toward an increasingly powerful centralized government. The Tenth Amendment follows on this wording in the Ninth Amendment: “*The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the People.*” These amendments are very clear and straightforward. Over the some 221 years since the ratification of those first ten amendments, 17 more amendments have been adopted, the most recent in 1992. *The United States Constitution is today the world’s longest surviving written charter of government.*

As we commemorate the 237th anniversary of the Declaration of Independence, let us pause in our celebrations to raise a toast in thanks to those who in 1776 declared our freedom—and to those who have sacrificed since to preserve it. We must not relegate to the recesses of our memory what all these brave people have fought and died for. We must promote the Declaration’s principles and the rule of law encoded in our Constitution. If we allow the freedom and rights bestowed upon us by our courageous founders to be eroded, we will ultimately face their being taken away.

Please enjoy as well our prior years’ Fourth of July Reflections, which are now featured on our website: <http://benefitcapital.com/4threflect.html>

e-mail: Business: rsmiley@benefitcapital.com. Personal: bobsmiley@benefitcapital.com
website: <http://www.benefitcapital.com>

Joseph Hewes
Born: January 23, 1730 – Kingston, New Jersey
Died: November 10, 1779 – Philadelphia, Pennsylvania

Joseph Hewes was born January 23, 1730, at his parents' estate, Maybury Hill, in a part of Kingston, New Jersey. Details of his childhood remain sparse, but we would have found him toiling on the family farm while receiving the good classical schooling that his family's affluence could afford for him, and he graduated from the College of New Jersey (now Princeton). Next came training to become a merchant, undertaken while an apprentice in a Philadelphia counting house, where functions like accounting and correspondence were conducted.

The apprenticeship completed, with some monetary assistance from his father Hewes indeed did become a merchant. The young man demonstrated all the qualities that propel one toward business and personal success. He was a man of unquestioned integrity, intelligent, honest, financially astute, and extremely hard working. In no time at all he was on his way to accumulating a large fortune. During the early period of building his business, he lived both in Philadelphia and in New York, then in 1760 moved to North Carolina, first to Wilmington, then to Edenton.

Hewes' business success plus his charm and ability to communicate brought him to prominence in the province, and in 1766 he was elected their representative in the provincial legislature. He continued to be reelected and served until the Royal Governor dissolved it in 1775.

But also in 1766, a great sadness clouded his life. He had fallen in love with Isabella Johnston, and tragically, within days of their planned wedding, Isabella died. Hewes never married, and when he died, leaving an immense estate, there were no offspring to inherit it.

Hewes was elected one of North Carolina's three delegates to the First Continental Congress in 1774, along with William Hooper and John Penn. He was seated in Congress on September 14. At first, the primary objective of the other colonies was to bring back accord between the colonies and England, to obtain redress of grievances that the colonies suffered, and to assure themselves of their unalienable rights as subjects of the British Crown.

In 1775, Hewes left the Quaker faith in which he had been raised, breaking all association with the pacifistic Society of Friends, which in convention had denounced specifically the proceedings of Congress, and opposed war in any circumstance.

When Richard Henry Lee presented his formal independence resolution on June 7, 1776, Hewes at first opposed it. But then, according to John Adams, his colleague in Congress and someone who regarded Hewes warmly, "He started suddenly upright and lifting up both his hands to Heaven, as if he had been in a trance, cried out 'It is done! and I will abide by it'." Hewes signed the Declaration of Independence and never looked back. The Lee Resolution also called for a formal confederation of the 13 colonies. When the confederation became official, he served on the committee appointed to develop a formal document joining the states together into a union. This developed into the Articles of Confederation.

In 1776, Hewes turned all of his commercial ships over to the new American Navy. Although they clashed over a particular aspect of naval operations, John Adams was quoted as often claiming that he and Hewes "laid the foundation, the cornerstone of the American Navy". Though not precisely in name, Hewes was the de facto first American Secretary of the Navy. In this capacity, he aided General Washington in designing his tactical plans for the war. He was also a key member of a secret committee on claims, which further promoted the independence of the colonies.

Hewes served the Congress as the Secretary of the Naval Affairs Committee until he became seriously ill in 1779. Throughout his service, he worked tirelessly at his military command, frequently working 12- to 14-hour days, often without taking sustenance, and inevitably his health began to deteriorate.

He passed away due to an unspecified illness on November 10, 1779, at not quite 50 years of age. He had been ailing for quite some time, and there are those who attributed his failing health to the relentless battering he afflicted upon his body by working for his country at a stressful level for very long hours and failing to ease off when he began to ail. Joseph Hewes was the very first of the Declaration signers to die.

As has happened with several other Declaration signers, Hewes' name has graced U.S. naval vessels. A passenger liner the U.S. Army requisitioned in January 1942 was renamed the USS Joseph Hewes (AP-50). The Germans sank the transport off the North African coast in November 1942. The USS Joseph Hewes received one battle star for World War II service. The next USS Joseph Hewes was a Knox Class destroyer escort commissioned in 1971, which operated in the Vietnam and Beirut areas and in the Mediterranean before being decommissioned in 1974 and sold to Taiwan.

William Hooper
Born: June 17, 1742 – Marblehead, Massachusetts
Died: October 14, 1790 – Hillsborough, North Carolina

William Hooper was born on June 17, 1742, in Marblehead, Massachusetts, firstborn of the five children of William Hooper, a Congregationalist minister emigrant from Scotland, and his American-born wife Mary. The senior Hooper schooled young William at home until, when he was seven, he enrolled him in the renowned Boston Latin School. The excellent preparatory education received there qualified him to enter Harvard College as a sophomore at age 15. In 1760 he received his bachelor of arts degree "with distinguished honor" and three years later was awarded his master of arts degree in Theology.

In 1761 he turned to a career in law and commenced working and studying in the law office of James Otis, a popular Boston attorney known for his brilliance and his strong advocacy of colonial rights. The latter attribute did not sit at all well with the young man's Loyalist father, and there is reported to have been some estrangement between father and son. His initially temporary relocation to North Carolina in 1764 was made permanent in 1767, and on August 16 he married Anne Clark, whom he'd met in Wilmington. Hooper's bride was the sister of Thomas Clark Jr., who ultimately rose to the rank of brigadier general in the Colonial Army.

Although strongly in favor of colonial rights, Hooper remained loyal to the Crown. Even so, he is credited for "the earliest known" prediction of independence, earning him the title "Prophet of Independence." On April 26, 1774, he penned the following to friend James Iredell: "The Colonies are striding fast to independence, and ere long will build an empire upon the ruins of Great Britain; will adopt its Constitution, purged of its impurities, and from an experience of its defects, will guard against those evils which have wasted its vigor." On August 25, 1774, the North Carolina Provincial Congress appointed Hooper first of their three delegates to the First Continental Congress meeting in Philadelphia in September (the other two were Joseph Hewes and John Penn).

Throughout his terms in Congress, Hooper served as member and/or chairman on many of the most important and vital committees. He gained renown for his compelling oratory; his eloquence could keep listeners near spellbound. Indeed, in 1774 John Adams in his diary cited Patrick Henry, Henry Lee, and William Hooper as "the orators of Congress". He was a compelling writer as well. Hooper was now only 32 years of age, and by the time he began his service in the Second Continental Congress in 1775, he was in solid opposition to British rule. Striving to be of service to North Carolina as it worked to set up a state government, and to tend to his deteriorated personal financial affairs and the security of his family, Hooper had been making repeated journeys back and forth between Philadelphia and North Carolina by grueling horseback rides. Though he served with Thomas Jefferson on the committee to draft the Declaration of Independence, he had to be absent from Congress when the document was actually approved; however, he later signed it on August 2, 1776. He was selected again to serve in Congress in December 1776, but remained only a short while. Yellow fever added to his travails early in 1777. In February he secured permission to return to Wilmington to attend the General Assembly on April 8. He did not return to Congress, resigning in April.

Back in his home state, Hooper was hardly idle. With the courts again in operation, he resumed his law practice. Though critical of the “political routine”, he continued to serve his North Carolina constituents for several years as a member of the Assembly.

The Revolutionary War raged on. The British numbered Hooper among those prominent people to be made an example of for having turned on them and taken up the revolutionary cause. They tried unsuccessfully to capture him, and they succeeded in destroying his plantation on Masonboro Sound, near Wilmington. Fortunately at the time, Hooper had already removed his family to his home in Wilmington. Then, in January 1781 the British captured Wilmington, and that house was burned. Hooper’s wife, ill at the time, escaped by wagon to Hillsborough with two of their three children, to be taken in by her brother Thomas. Hooper himself was driven into hiding for over ten months. Sick and destitute, he fled from one friend to another in the Edenton area. It was in this period that he contracted malaria.

In his practice of law following the Revolution, much of his case load involved the property of Loyalists—e.g., lands confiscated for treason. The kind and forgiving Hooper’s insistence on observing the letter of the law vis-à-vis the Loyalists and his very fair treatment in protecting their rights was felt by some to be too soft. His standing with the public suffered, and he was even accused of being a Loyalist himself. Nevertheless, he was appointed judge of the federal court in September 1786.

In 1787 and 1788, despite his increasingly poor health, Hooper worked hard to see that North Carolina would ratify the Constitution (it did so November 21, 1789). By 1787, his health increasingly feeble, he essentially had retired from all public and professional activity.

Hooper died October 14, 1790, the day before his daughter Elizabeth was to be married. He was only 48 years old.

Thomas Lynch Jr.

Born: August 5, 1749 – Prince George-Winyaw Parish, South Carolina

Died: 1779 – At Sea

Declaration of Independence signer Thomas Lynch Jr. was born on August 5, 1749, at Hopsewee Plantation located in what was then Prince George-Winyaw Parish*, South Carolina.

Thomas Lynch Jr.’s initial education was at the Indigo Society School in Georgetown, South Carolina. When he was 12, his father took him out of that school and sent him off to England. After eight or nine years abroad, Lynch arrived back in South Carolina, settled in at Peach Tree Plantation, given to him by his father, and married Elizabeth Shubrick.

The peaceful life of a prosperous plantation owner was not his destiny, however. Strongly inspired by his father’s vigorous support of the patriot cause, Lynch soon became involved in the political scene. He spoke often in public, becoming noted for his fervor and his eloquence, and thus he began his service in public office. In 1774 St. James Parish elected him to the First Provincial Congresses of South Carolina, and then reelected him the following year. At this time, his father was serving in the First Continental Congress. Young Lynch served as well in the first Carolina state legislature, in 1776, and assisted in drafting the state constitution as a member of the 11-man constitutional committee.

In 1775, when South Carolina was constructing its provincial regiment, Lynch accepted an appointment to be in command of a company, with the rank of captain. To raise his quota of men, he went about recruiting in surrounding counties, including North Carolina counties. His contingent of soldiers assembled, he proceeded to march with them to Charleston. It is at this point that Lynch was felled by an illness that never really left his body. It is likely that the severe, debilitating fever he contracted was caused by malarial mosquitoes then infesting the countryside. He recovered enough to rejoin the regiment, but was never again physically up to discharging his duties as he would have liked. The fever was to recur, persist, damage his constitution generally, and within a few years indirectly lead to his death.

While serving in the military in the spring of 1776, Lynch learned that his father, now in the South Carolina delegation to the Second Continental Congress, in Philadelphia, had suffered a stroke. He applied for leave to go to his side, but his commanding officer refused him. The South Carolina Provincial Congress then elected him a delegate to Congress. He hastened to Philadelphia, where his father was still alive and improved enough that the son held hope of getting him back to South Carolina. Though incapacitated, the elder Lynch remained a member of the delegation from South Carolina, and thus the two Lynches were the only father-son team to serve simultaneously in the Continental Congress.

The younger Lynch's own health was worsening rapidly, but he soldiered on in Congress, forcefully supporting independence and articulate as ever in addressing the members. He cast his vote for the Declaration of Independence and signed it on August 2, 1776, three days short of his 27th birthday. He was the 52nd signer and three months shy of being the youngest. Hoping his father would recover enough to affix his own signature, the South Carolina delegates left a space between the signatures of Edward Rutledge and Thomas Heyward Jr. The space remained blank, as his father was never able to sign.

The two Lynches left Philadelphia and began their slow trip home. Thomas Jr. was so ill he was afraid he was going to die. But it was Thomas Sr. who did succumb, in December, in Annapolis, and is buried there. Young Thomas resumed his journey to South Carolina, and once home, he retired from public life and resided at Peach Tree Plantation with his wife. In late 1779, a semi-invalid, doctors advised that a change of climate might be beneficial, and Thomas and Elizabeth, attempting to avoid areas at sea where the war put them in peril, set sail for the West Indies, intending to then find transport to the south of France. Their ship was seen a few days out and then disappeared—in the area now known as “The Bermuda Triangle.” When he died, Thomas Lynch Jr. was barely 30 years old.

Thomas and Elizabeth had no children. Elizabeth's sister, Mary, married Edward Rutledge and her sister Hannah married William Heyward, brother of Thomas Heyward Jr., both Declaration signers.

* 27 Sep 1865 - Prince George-Winyaw Parish [was] effectively eliminated as a governmental unit by state constitution.

John Penn

Born: May 17, 1741 – Caroline County, Virginia

Died: September 14, 1788 – Granville County, North Carolina

This final biographical sketch in our now concluding 13-year series is of a signer of the Declaration of Independence who, compared to many other signers, has undeservedly been relegated to relative anonymity over the 237 years since our Founding Fathers acted to free the American Colonies from England's tyrannical rule. Famous as the Penn name is, John was only distantly related to Pennsylvania's founder. Except for a five-year stint in the Continental Congress and a brief career in state service, he passed his years peacefully as a country lawyer far from the clamor of the public forum.

And what of that “five-year stint” in the Continental Congress? Perhaps it is now time to write about the hardships most of the delegates endured simply to be physically present at Congress. They could not just hop a plane, train or bus to commute out of their home bases. Some had responsibilities back home that necessitated more commuting than others. Many could not even travel by the common public transportation of the day—the horse-drawn coach, but rode on horseback, totally exposed to the elements. Many had to travel through marshy land infested in warmer months with insects that infected them with diseases like malaria and yellow fever. Their routes were not paved roads. They were often not roads at all, instead primitive Indian trails throughout rugged country where the travelers were in danger of attack by those Indians or by highwaymen. When they overnights, accommodations were usually barebones, and, when they settled down to sleep, they knew not what their situations would be upon awakening—at the least dangerous level: would their belongings be gone? When Congress met in cold weather, they shivered; when it met in summer, they sweltered. The continuing pressure of their work in Congress—and at home, along with the physical hardships, often inflicted heavy punishment on their health.

John Penn was born May 17, 1741, near the town of Port Royal in Caroline County, Virginia, and by the time his father died when John was 18, he had had only two or three years of instruction in a rural school. Now he was heir of a substantial estate along with the obligation to look after his widowed mother, and when responsibility descended upon him he rose to the challenge.

His uncle, Edmund Pendleton, a very prominent and highly respected attorney, lived nearby. Pendleton had an enormous library of law and other books and offered his nephew the opportunity to work as his apprentice, and at the age of only 21 Penn qualified for the Caroline County bar. He entered the practice of law in the Bowling Green area and quickly became ranked among the highest regarded lawyers in the vicinity. On July 28, 1763, not long after achieving his bar status, Penn married Susan Lyne and together they had three children, about whom little is known except that only one, a son, married and produced children.

In 1774, Penn moved his family and law practice to Granville County, North Carolina, where a number of his relatives had already relocated and was an area that was a hotbed of the colony's growing revolutionary sentiment. He was becoming more and more known for his "radical" anti-British views. Perhaps, too, he was uncomfortable about being publicly at odds with his uncle, who was still hoping for reconciliation with the mother country.

Penn voted for independence on July 2, 1776, approved the Declaration of Independence on July 4, and signed it on August 2, his "best known contribution" to history. In 1778 Penn became one of the 16 signers of the Declaration of Independence who also affixed his signature to the new unified nation's first governing document: the Articles of Confederation. 1777, 1778 and 1779 saw his reelection to Congress, where he served until 1781, ever stalwart in his patriotism and insistence that wrongs be righted and the colonists' rights be upheld. He could always be relied upon and he was almost never absent.

But there was another activity that places Penn among the most influential of the signers. In late 1780, North Carolina's Governor Nash brought Penn back from Congress to serve as one of three appointed to what was known as the Board of War, established in September by the State Legislature to "share responsibility" with Nash for the management of war activities when the legislature was not meeting. What is key to this biographical sketch is that Penn proved the most competent of the three and it was he who took charge—raised recruits, got the militia funded, assured procurement of supplies and transport, established effective communication with the Continental Army command, effectively neutralizing the Tories in North Carolina. Early the following year, regretting having established the board because Penn deprived him of his control of the militia, Nash got the legislature to abolish it. But under new Governor Thomas Burke a "Council Extraordinary" was constituted in its place. Penn can be justly credited with making it possible for the Colonists to drive Cornwallis from the area, which retreat ultimately led to his surrender at Yorktown.

In 1780 Penn turned down appointment to a judicial position in North Carolina, citing health reasons. The following year, his deteriorating health kept him from accepting appointment to the Governor's Council. In February 1784 he did accept an appointment from Governor Morris to be Receiver of Taxes for North Carolina, but resigned not quite a year later, frustrated because the state's government had failed to grant him authority to actually collect the taxes. Essentially, Penn devoted the years between his return home from Congress in 1781 and his death on September 14, 1788, at age 47, to his family and the law practice that he had resumed. Happily, he did live to see the official end of the War for Independence with the signing of the Treaty of Paris September 3, 1783.

During World War II, an attack transport, the USS John Penn (APA-23), named for him, was commissioned April 6, 1942. It saw service off the coast of French Morocco and then at Guadalcanal, near which it was sunk August 13, 1943. The ship received one battle star for World War II service.
